

Approved: 
FRANK J. BALSAMELLO / JAMIE BAGLIEBTER / PETER DAVIS
Assistant United States Attorneys

Before: THE HONORABLE STEWART D. AARON
United States Magistrate Judge
Southern District of New York

23 MAG 3491

UNITED STATES OF AMERICA

v.

MICHAEL ROWE,
a/k/a "MJ,"

Defendant.

SEALED COMPLAINT

Violation of
18 U.S.C. § 922(g)

COUNTY OF OFFENSE:
NEW YORK

SOUTHERN DISTRICT OF NEW YORK, ss.:

SPECIAL AGENT MAX DOUGAL, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE

1. On or about April 29, 2023, in the Southern District of New York, MICHAEL ROWE, a/k/a "MJ," the defendant, knowing that he had previously been convicted in a court of a crime punishable by a term of imprisonment exceeding one year, knowingly did possess ammunition, to wit, a Blazer .380 auto caliber cartridge, which ammunition was in and affecting commerce.

(Title 18, United States Code, Section 922(g)(1).)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

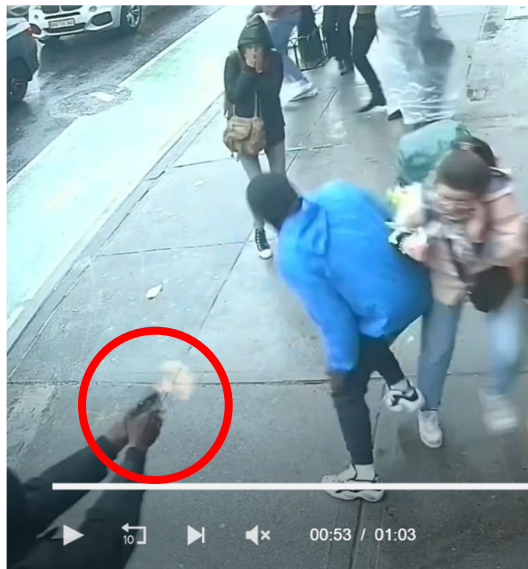
2. I am a Special Agent with the FBI and have been so for approximately two and a half years. For the last approximately two years, I have been assigned to the FBI and New York City Police Department ("NYPD") Safe Streets Task Force. This affidavit is based upon my personal participation in this investigation, my conversations with other law enforcement officers, witnesses and others, as well as my examination of reports, records, videos, and other evidence. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. On or about April 29, 2023, NYPD officers responded to the scene of a shooting in the vicinity of 650 9th Avenue, New York, New York. Security camera footage collected from the area shows, in substance and part, that at about 5:45 p.m., an individual—identified as MICHAEL ROWE, a/k/a “MJ,” the defendant, by a witness described below—discharged a gun following an argument on the sidewalk.

a. Moments before the shooting, ROWE—dressed in what appear to be a black jacket, light gray pants, black Nike sneakers, and a black Nike balaclava—engages in an animated disagreement, during which he gesticulates and expresses annoyance. Still images from the video are provided below.



b. From this camera angle, ROWE walks off screen, then arms wearing a black jacket consistent with ROWE's, reenter the frame, pointing what appears to be small black pistol, which emits a muzzle flair as ROWE fired it. From a different camera, it is clear ROWE is the person holding the gun.



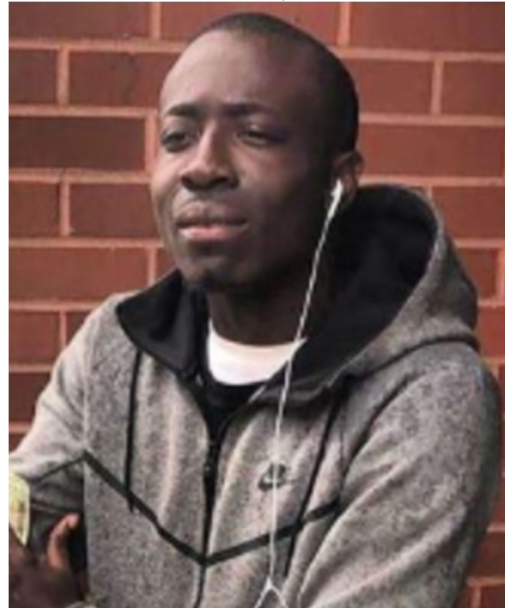
4. I have spoken with a witness (“Witness-1”)¹ who was present at the time of the shooting and said, in substance and part, that the person who fired a gun at the time and place captured on the video described above is Michael Rowe, who Witness-1 knows to be on supervised release from a prior federal case involving a specific gang. From speaking with other members of law enforcement and my review of relevant documents, I know that MICHAEL ROWE, a/k/a “MJ,” the defendant, (a) was previously prosecuted in the Southern District of New York for crimes stemming from his involvement in the same gang named by Witness-1, and (b) ROWE is on supervised release from that case.

5. From my review of (a) the security camera footage described above, (b) security camera footage from the vicinity of the shooting and the vicinity of the last known home address for MICHAEL ROWE, a/k/a “MJ,” the defendant (which shows him returning to that apartment after the shooting, wearing the same clothing depicted above), and (c) other pictures of ROWE from social media accounts known to be used by ROWE, I submit that the appearance of the person seen on video shooting the gun is consistent with ROWE, thus corroborating Witness-1’s identification of ROWE as the shooter. Examples of such security camera footage and social media pictures are below.

Security Camera Footage April 29, 2023



Social Media Post, October 2018



6. From my review of NYPD reports and records, I have learned, among other things, that a member of the NYPD’s Evidence Collection Team (“ECT”) recovered a discharged shell casing from the ground at the scene of the shooting. A Special Agent from the Bureau of

¹ Witness-1 has previously been prosecuted in this District and cooperated with the Government, which resulted in leniency at Witness-1’s sentencing. Since then, Witness-1 has incurred several violations of supervised release and has provided information to law enforcement in hopes of receiving leniency in connection with pending allegations in state and federal court. I have found Witness-1’s information to be credible and reliable, and it is corroborated by, among other things, the video footage described herein.

Alcohol, Tobacco, Firearms and Explosives who is familiar with the manufacture of firearms and ammunition has viewed a photograph of the shell casing and said, in substance and part, that it was not manufactured in the state of New York.

7. I have reviewed criminal history records for MICHAEL ROWE, a/k/a "MJ," the defendant, which show the following, among other things:

a. On or about February 1, 2021, in the United States District Court for the Southern District of New York, ROWE pled guilty to an Information containing seven counts, all punishable by more than one year in prison. In his plea agreement and during his change-of-plea proceeding, ROWE was advised of the maximum possible punishment for each count, and he said that he understood.

b. On or about January 24, 2019, in Bronx County Supreme Court, ROWE pled guilty to two counts of third-degree robbery, a class D felony under New York Penal Law, for which he was sentenced to 16 months' to four years' imprisonment, of which he served approximately 44 months' imprisonment (from March 2019 through November 2022).

WHEREFORE, the deponent respectfully requests that a warrant be issued for the arrest of MICHAEL ROWE, a/k/a "MJ," the defendant, and that ROWE be arrested and imprisoned, or bailed, as the case may be.

/s/ Max Dougal, by SDA with permission

MAX DOUGAL, Special Agent
Federal Bureau of Investigation

Sworn to before me by reliable electronic means this
1st day of May, 2023



THE HONORABLE STEWART D. AARON
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK